

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court

Southern District of Texas

ENTERED

November 09, 2021

Nathan Ochsner, Clerk

CAROLE BETH SHINE, Independent §
Executor of the Estate of David L. Minchen §
Plaintiff §

v. §

CIVIL ACTION NO. 4:21-cv-00141

LINCOLN NATIONAL LIFE §
INSURANCE COMPANY & §
NEW YORK LIFE INSURANCE & §
ANNUTY CORPORATION, §
Defendants §

NEW YORK LIFE INSURANCE & §
ANNUTY CORPORATION, §
Counter Plaintiff & Third-Party Plaintiff §

v. §

CAROL BETH SHINE, as Independent §
Executor of the Estate of David L. Minchen §
Counter-Defendant §

& §

CAROLE BETH SHINE, Individually §
FIDELITY INVESTMENTS §
CHARITABLE ACCOUNT a/k/a §
FIDELITY CHARITABLE ACCOUNT §
#xxx2979 a/k/a FIDELITY CHARITABLE §
GIFT FUND #xxx2979, §
SERVANT GROUP INTERNATIONAL, §
COMMISSION TO EVERY NATION, §
PERSECUTION PROJECT §
FOUNDATION, §
INTERNATIONAL MESSENGERS, §
INTERNATIONAL CHRISTIAN §
CONCERN §
Third-Party Defendants §

AGREED FINAL JUDGMENT

On this day, (1) Carole Beth Chine, Individually and as Independent Executor of the Estate of David Minchen, Deceased, (2) Persecution Project Foundation, (3) International Messengers, (4) International Christian Concern, (5) Servant Group International, (6) Commission to Every Nation, and (7) Fidelity Investments Charitable Gift Fund (the “Remaining Parties”) appeared before the Court and announced they had reached a settlement in this cause. On May 10, 2021, New York Life Insurance and Annuity Company (NYLIAC) deposited \$390,844 into the registry of the Court (Receipt No. HOU102123).

2. On May 10, 2021, NYLIAC deposited \$484,834.63 into the registry of the Court (Receipt No. HOU102124).

3. On May 12, 2021, the Court dismissed NYLIAC from this cause with prejudice. (Document No. 43).

4. On May 18, 2021, Lincoln National Life Insurance Company deposited \$1,829,594.77 into the registry of the Court (Receipt No. 102267).

5. On June 7, 2021, the Court dismissed Lincoln National from this cause with prejudice. (Document No. 49).

6. The Remaining Parties have resolved their disputes and entered into a Settlement Agreement providing for the distribution of the funds as reflected in the orders below.

7. Accordingly, it is **ORDERED** that the funds currently on deposit in the Registry of the Court, including accrued interest, if any, shall be distributed and paid as follows:

PARTY	AMOUNT OR SHARE TO BE DISTRIBUTED	PAYABLE TO:
Carole Beth Shine, Individually and as Independent Executor of the Estate of David L. Minchen, Deceased, <u>care of</u> Dinkins, Kelly, Lenox, Lamb & Walker LLP 2500 East T.C. Jester Blvd. Ste. 675 Houston, TX 77008	\$637,500.00	Dinkins, Kelly, Lenox, Lamb & Walker LLP IOLTA
International Messengers Persecution Project Foundation International Christian Concern, <u>care of</u> Ford +Bergner 700 Louisiana Street 48th Floor Houston, Texas 77002	3/5 of the funds remaining after the distribution to Carole Shine, plus 3/5 of the accrued interest	Ford+Bergner IOLTA
Servant Group International Commission to Every Nation, <u>care of</u> Horrigan, Goehrs, Edward & Culp, L.L.P. 1401 Truxillo St. Houston, TX 77004	2/5 of the funds remaining after the distribution to Carole Shine, plus 2/5 of the accrued interest	Horrigan, Goehrs, Edwards & Culp IOLTA

8. It is FURTHER ORDERED that, after the distribution of the funds in accordance with this Order, all claims in this suit are dismissed with prejudice.

9. It is FURTHER ORDERED that, pursuant to their Settlement Agreement, all parties shall bear their own attorneys' fees, expenses, and costs.

10. This is a FINAL JUDGMENT. All relief not expressly granted is denied.

Signed on Nov. 9, at Houston, Texas.



Lynn N. Hughes
United States District Judge